2.

A GRANT OF THE LATE KINGS MAIESTIE TO MICHAEL BVRTON, Gentleman, in consideration of his seruice, of all Sir *William Ayloffs* estate, forfeited by his Outlawries.

IAmes, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. To the Treasurer, Chancellor, Vnder-Treasurer, Chamberlaines, and Barons of the Exchequer of Vs, Our Heyres and Successors, and to all other the Officers and Ministers of the same Court which now are, and hereafter shal be, and to all others

The preamble how the outlawrie of Sir William Ayloff is in the Crowne.

to whom theſe preſents ſhall come, greeting. Whereas Sir *William Ayloff*, late of Braxted in our County of Eſſex, Knight and Baronet, as We are informed, ſtandeth out-lawed after Iudgement, at the ſuite of diuers perſons for ſeuerall debts due vnto them, and amongſt others in London, vpon Munday next after the Feaſt of S. *Wolſtan* the Biſhop, in the nineteenth yeere of Our Reigne of England, at the ſuite of Sir *William Smith*, Knight, vpon a Plea of debt, of which hee ſtandeth conuict, as by the Record thereof may more plainely appeare, by reaſon whereof, aſwell the profits of all the Lands, Tenements and Hereditaments of the ſaid Sir *William Ayloff*, as long as hee ſhall ſo continue out-lawed, as alſo all the goods and chattels of the ſaid Sir *William Ayloff*, both reall and perſonall, moueable and vnmoueable, of what nature, kind, or qualitie ſoeuer they bee, or by whatſoeuer name or names they bee called or knowne, whereof he, or any other in truſt for him, or to his vſe, were poſſeſſed at the time of the promulgation of the ſaid Outlawries, or any of them, or at any time ſince, and alſo all the debts, duties, ſummes of money and ſpecialties, and all the rents and profits of all and ſinguler the lands, tenements and hereditaments, vnto the ſaid Sir *William Ayloff*, at the time of the promulgation of the ſaid ſeuerall Outlawries, or any of them, or at any time ſince were due, belonging, owing, or appertaining, are, and by the lawes of this Our Realme of England, ought to be forfeited, and to appertaine vnto Vs, Our Heires and Succeſſors.

The grant thereof to M. Burton, in recompence of ſeruice.

Now know yee, that We, for diuers good cauſes and conſiderations Vs hereunto ſpecially moouing, and for the good and acceptable ſeruice heretofore done

done vnto Vs by Our truſty and welbeloued Seruant and Subiect, *Michael Burton*, Gentleman, of Our eſpeciall grace, certaine knowledge and meere motion, haue giuen and granted, and by theſe preſents for Vs, Our Heires and Succeſſors, doe giue and grant vnto the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes, all and ſinguler ſumme and ſummes of Money, Iewels, Plate, Houſholdſtuffe, Goods and Chattels reall and perſonall, moueable and vnmoueable, leaſes, rents, annuities, arrearages of rents and annuities, accompts, obligations, bills, eſcripts, writings, indentures, forfeitures, profits and iſſues of lands and other profits, aduantages, commodities, rights, titles, actions, ſuites, vſes, confidences, truſts and demands whatſoeuer, of what nature, kind or qualitie ſoeuer they, or any of them were, or be, or by whatſoeuer name or names, they, or any of them bee called or knowne, which were the ſaid Sir *William Ayloffs*, or to him belonging either in law, equitie, or otherwiſe by reaſon of any truſt for him the ſaid Sir *William Ayloff*, or otherwiſe at the time of the ſaid Outlawries, or any of them, or at any time ſince. And all debts, aſwell by matter of Record, ſpecialtie or without ſpecialtie whatſoeuer owing, due, or payable, belonging or come to the hands of the ſaid Sir *William Ayloff*, or to any other in truſt, or otherwiſe, for, and to his vſe and behoofe, or benefit, at the time of the ſaid Outlawries, or any of them, or at any time ſince, & which by the lawes of this Realme were, or ought to be forfeited, or come vnto Vs, by reaſon of the ſame Outlawries, and euery or any of them, and alſo all, and all manner of Statutes, Recognizances, Iudgements, Bonds, Billes, and other ſpecialties and aſſurances

whatſoeuer made by any perſon or perſons whatſoeuer vnto the ſaid Sir *William Ayloff*, or to any other perſon or perſons to his vſe, or in truſt for him, or otherwiſe to his benefit or behoofe, which ought to come vnto Vs, Our Heires and Succeſſors, or any of Vs, by meanes or occaſion of the ſaid Outlawries, or any of them: And alſo all rights, titles, profits, commodities, aduantages, intereſts, properties, actions, ſuits, claimes and demands whatſoeuer, which Wee, Our Heires and Succeſſors, or any of Vs, or any other to Our vſe, in Our Name can, or may, or of right ought to haue, take, recouer, or enioy by meanes, reaſon or occaſion of any the Outlawrie or Outlawries aforeſaid:

The habend. To haue, hold, perceiue, take, ſeaze, leauy, receiue, recouer, retaine and enioy all and ſinguler the ſaid ſumme and ſummes of mony, iewels, plate, houſhold ſtuffe, goods, chattels reall and perſonall, leaſes, debts, duties, accompts, obligations, billes, writings and forfeitures, and all and ſinguler other the premiſſes by theſe preſents giuen and granted, or mentioned, or intended to be giuen and granted as aforeſaid, and euerie part and parcel of the ſame, vnto the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes, to and for his, and their own vſe and behoofe, vnder the cautions, couenants and intentions hereafter following, without any manner of account, allowance, or recompence therefore, or for any part or parcell thereof to bee demanded, required, or rendred, paid, yeelded, or done to Vs, Our Heires, or Succeſſors, or any of Vs for the ſame, in as large, ample and beneficial manner, ſort and forme, to all intents, conſtructions and purpoſes whatſoeuer, as We, Our Heires and Succeſ-

ſors

fors, or any of Vs can, may, or ought to haue, claime, receiue, take, recouer, enioy, or demand the ſame, or any part or parcell thereof, by reaſon or meanes of the ſaid Outlawries, or any of them.

And further know ye, that We, of Our more eſpe- *To inquire.*
ciall grace, certaine knowledge, and meere motion, haue giuen and granted, and by theſe preſents for Vs, Our Heires and Succeſſors, doe giue and grant vnto the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes, and euery of them, for the better executing of this Our Grant, and for the better getting in, and obtaining all ſuch things, as hereby are vnto him and them giuen and granted, or intended to bee hereby giuen and granted at all, and euerie time and times hereafter, full power and authority to inquire and find out, or cauſe to bee inquired and found out by any Office or Offices, Inquiſition or Inquiſitions, or by any other lawfull wayes, meanes or deuice whatſoeuer, ſuch right, title, vſe, confidence, truſt, property or intereſt, as We heretofore haue had, or haue, or may, might, or ought to haue of, in, or to the premiſes before, in, and by theſe preſents granted, or any of them, or any part or parcell of them; and alſo to haue, take, ſeaze, perceiue, receiue, leauy, recouer, and enioy by him the ſaid *Michael Burton*, his Executors or Adminiſtrators, or their, or any of their Miniſters, Deputies, Aſſignes or Seruants in any place or places whatſoeuer, to his and their owne proper vſe and vſes, the ſaid ſumme and ſummes of money, iewels, plate, houſholdſtuffe, goods, chattels, real and perſonall, leaſes, debts, duties, accompts, obligations, bils, writings, profits, commodities and aduantages, and all and ſinguler other the premiſſes, and euery of them

whatſoeuer that are ſo forfeited, or due to Vs by reaſon or meanes of the ſaid Outlawries, or any of them, according to the order and courſe of Our lawes, and according to the effect, true intent, and meaning of this Our Grant, aſwell at, and by the hands of any of Our Officers or Miniſters, and euery of them, as alſo at, and by the hands of any other perſon or perſons to that purpoſe lawfully to be authoriſed.

To compound debts, &c.

And further, that it ſhall, and may be lawful to, and for the ſaid *Michael Burton*, his Executors, Adminiſtrators or Aſſignes, and euerie of them, as abſolutely, wholly and freely, as We Our ſelues, Our Heires and Succeſſors, or any of Vs may, or can do, to compound and agree with any perſon or perſons whatſoeuer, for the ſaid ſumme and ſummes of money, iewels, plate, houſholdſtuffe, goods, chattels reall and perſonal, leaſes, debts, duties, accompts, obligations, billes, writings, profits, commodities and aduantages, and all and ſinguler other the premiſſes by theſe preſents giuen and granted, or mentioned, or intended to bee hereby giuen and granted, and euery part and parcell thereof.

To releaſe debts, &c. Or make acquittances.

And that the ſaid *Michael Burton*, his Executors and Aſſignes, and euery of them, ſhall haue full power and authoritie, by vertue of theſe preſents, at his and their wils and pleaſures, vpon ſuch compoſitions made, or ſatisfaction giuen, to releaſe, acquite and diſcharge all and euery perſon & perſons whatſoeuer, their Heires, Executors, Adminiſtrators and Aſſignes, and euery or any of them there, and euery or any of their lands, tenements, hereditaments, goods and chattels of, and for the ſaid ſumme and ſummes of money, iewels, plate, houſholdſtuffe, goods, chattels reall and perſonall,

nall, leaſes, debts, duties, accompts, obligations, billes, writings, profits, commodities and aduantages, and all and ſinguler other the premiſſes by theſe preſents granted, or mentioned to bee granted, and euery or any part or parcell thereof.

And that the ſaid compoſitions, agreements, releaſes, acquittances, or other diſcharges ſo made or done by the ſaid *Michael Burton*, his Executors or Aſſignes, or by any of them, ſhall be a ſufficient and lawfull bar, acquittance, exoneration and diſcharge to be pleaded againſt Vs, Our Heires and Succeſſors, by any perſon or perſons whatſoeuer in any of Our Courts of Record, in as large and ample manner, as if the ſaid releaſes, acquittances and diſcharges were made, or done by Vs, Our Heires and Succeſſors, or any of Vs. *Which ſhall be auaileable in law.*

And further, of Our eſpeciall grace, certaine knowledge, and meere motion for Vs, Our Heires and Succeſſors, We doe giue and grant vnto the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes, and to euery of them, full power and authority either in the name or names of him the ſaid *Michael Burton*, his Executors, Adminiſtrators or Aſſignes, or otherwiſe in the Name of Vs, Our Heires and Succeſſors, at his, and their wills and pleaſure, to ſue for, impleade, proſecute, put in execution, recouer, demand and receiue the ſaid ſumme and ſummes of money, iewels, plate, houſhold ſtuffe, goods, chattels, leaſes, profits of lands, rents, annuities, and all other the premiſſes ſo due, or appertaining to Vs, as aforeſaid, againſt any perſon or perſons whatſoeuer in any of our Courts of Record, according to our lawes, and the ſame being recouered, leauied, or receiued, to haue, take, retaine, enioy and conuert to his and their, or any of their *To ſue in the Kings Name.* *And recouer goods, &c.* *And them to keepe and conuert to his owne vſe, &c.*

their owne proper vſe and behoofe, vnder the couenants and cautions hereafter mentioned, for which theſe our Letters Patents, or the inrolement thereof ſhall bee aſwell vnto the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes, as to all the Officers and Miniſters of Vs, Our Heires and Succeſſors, for the allowance thereof, a ſufficient warrant and diſcharge in that behalfe.

That goods brought in the Exchequer, bee deliuered to the Patentee.

And Our will and pleaſure is, and We do by theſe preſents for Vs, Our Heires and Succeſſors ſtraightly charge and command Our ſaid Treaſurer, Chancellor, Vnder-Treaſurer, Chamberlaines and Barons of the Exchequer of Vs, Our Heires and Succeſſors, and all other Our Officers and Miniſters of the ſame Court, that if it happē at any time, or times hereafter, any of the ſaid goods, chattels, ſumme and ſummes of money, or any other the premiſſes whatſoeuer to bee recouered, leauied, and paid, or deliuered into the receipt of Our ſaid Exchequer; that then, and ſo often they deliuer, or cauſe to bee deliuered vnto the ſaid *Michael Burton*, his Executors, Adminiſtrators, or Aſſignes, out of our ſaid Exchequer, the ſaid goods, chattels, ſumme and ſummes of mony, and all other the premiſſes ſo recouered, leauied and paid into Our Exchequer as aforeſaid, to be by him and them had and enioyed in manner and forme aforeſaid: and theſe preſents, or the inrolement thereof, ſhall bee to our ſaid Treaſurer, Chancellor, Vnder-Treaſurer, Chamberlaines and Barons of the ſaid Exchequer, and to all other Our Officers and Miniſters, to whom it ſhall or may appertaine, a ſufficient Warrant and diſcharge in that behalfe.

And further, Our will and pleaſure is, and We doe hereby

hereby for Vs, Our Heires and Succeſſors, ſtraightly charge and command you, Our ſaid Treaſurer, Chancellor, Vnder-Treaſurer, Chamberlaines and Barons of Our ſaid Exchequer from time to time, to grant, and cauſe to be made forth of Our ſaid Court of Exchequer, ſuch and ſo many Commiſſions, and other lawfull Proceſſe for the finding out, reuealing, diſcouering, triall, recouering, and ſeazing of the ſaid premiſſes by theſe preſents granted, or mentioned to bee granted, as aforeſaid; and euerie part and parcell of the ſame, according to the true meaning of theſe preſents, as by him the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes ſhall be thought requiſit and required; and theſe preſents, or the inrolement thereof ſhall be vnto you Our ſaid Treaſurer, Chancellor, Vnder-Treaſurer, Chamberlaines and Barons of Our ſaid Exchequer, and to all other Our Officers and Miniſters of the ſame Court, a ſufficient Warrant and diſcharge in that behalfe.

That the Patentee and his Aſſignes may at times take out Proceſſe.

And alſo Our will and pleaſure is, and by theſe preſents for Vs, Our Heires and Succeſſors, Wee doe charge and command all and ſinguler Our Sherifes, Vnder-Sherifes, Baylifes, Officers, and Miniſters for the time being, which ſhall happen to bee employed in, or about the leauying, or recouering of any goods, chattels, iſſues, and profits of lands, rents, and other the premiſſes aboue by theſe preſents giuen and granted, or mentioned to be hereby giuen and granted to the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes, or of any part or parcel of the ſame, or in, or about the execution of any Writ or Proceſſe concerning the ſame, or any part or parcell thereof, that they and euery of them, ſhall in ſuch caſe pay or deliuer,

That the Sheriffes and other meane Officers deliuer the goods &c. to the Patentee.

deliuer, or cauſe to be paid and deliuered, ſuch of the ſaid goods, chattels, debts, iſſues, and profits of lands, rents, and all other the premiſes ſo by them leauied or receiued, or the values thereof, vnto the ſaid *Michael Burton*, his Executors or Aſſignes, to be inioyed by him or them, according to the true intent and meaning of theſe Our Letters Patents, taking an Acquittance or Acquittances of him or them for the ſame.

at the Patentee, or his Aſſignes may take Tallies.

And alſo that Our ſaid Treaſurer, Chancellor, Vnder-Treaſurer, Chamberlaine and Barons of Our ſaid Exchequer for the time being, ſhall cauſe the Clarke or other Officer of the Tallies to whom it belongeth, vpon the ſhewing and bringing in vnto him or them the ſaid Acquittance or Acquittances, to ſtrike one or more Tallie or Tallies thereupon, teſtifying the receit and payment of the particular ſumme or ſummes of money, and other the premiſes ſo receiued and paid, in as large and ample manner as if the ſame had been paid and receiued to the vſe of Vs, Our Heires and Succeſſors: And theſe preſents, or the inrolement thereof, ſhal be, as well vnto all and euery Our ſaid Sheriffes, Baylifes, Miniſters and other Officers for the doing thereof, as vnto Our ſaid Treaſurer, Chancellor, Vnder-Treaſurer, Chamberlaines, and Barons, and other the ſaid Officers and Miniſters of Our ſaid Exchequer, for the allowing thereof, a ſufficient warrant and diſcharge in that behalfe.

That the Patentee pay Creditors out of the eſtate within conuenient time.

Neuertheleſſe, Our expreſſe will and pleaſure is, and ſo We doe hereby declare Our intent and meaning to be, and doe for Vs, Our Heires and Succeſſors, will, ordaine, prouide and command by theſe preſents,

preſents, that he the ſaid *Michael Burton*, his Executors, Adminiſtrators and Aſſignes ſhall, within conuenient time after the date of theſe preſents with and out of the ſaid goods, chattels, profits and commodities which he or they ſhall haue, receiue or enioy by force and vertue, and according to the true intent and meaning of theſe preſents, pay, or cauſe to be paid vnto all and euery perſon and perſons whatſoeuer, vnto whom the ſaid Sir *William Ayloff* is, and ſtandeth truly indebted, all ſuch ſeuerall, iuſt and due debts, and ſummes of money, as he the ſaid Sir *William Ayloff* doth owe, and ſtandeth truly indebted for, any thing in theſe preſents contained to the contrary thereof in any wiſe notwithſtanding. Although expreſſe mention of the true yeerely value or certainty of the premiſes, or of any of them, or of any other gifts or grants by Vs, or any of Our Progenitors or Predeceſſors, to the ſaid *Michael Burton* heretofore made, in theſe preſents is not made; or any Statute, Act, ordinance, prouiſion, Proclamation, or reſtraint to the contrary thereof heretofore had, made, ordained or prouided, or any other thing, cauſe, or matter whatſoeuer in any wiſe notwithſtanding. In witneſſe whereof, We haue cauſed theſe Our Letters to bee made Patents.

Witneſſe Our ſelfe at Weſtminſter, the fourth day of February, in the twentieth yeere of Our Raigne of *England*, *France* and *Ireland*, and of *Scotland* the ſixe and fifty.

Per breue de priuato ſigillo.

Younge & Pie.

Irrotulentur.

Laurence Tanfield.

Irr. in Memor. Scaccarij Regis nunc Iacobi apud Westm. de Anno regni ſui xx^mo^ vid. inter Record. de Termino Sancti Hillarij Rotulo. ex parte Remembratoris eiuſdem Domini Regis.

The Orders vpon the Patentees Petition to the late Kings Maieſtie, and vpon the Reference thereof to the Honourable Committees of his Priuie Councell, made by them vpon audience of the ſame Patentee, and of the ſaid Sir *William Ayloff*, and of his Creditors, and of their ſeuerall Councell in Law, in approbation of the Patentees iuſt demands by his Petition.

ACcording to his Maieſties gracious pleaſure ſignified vnto vs, vpon the Petition of *Michael Burton*, Gentleman, againſt Sr *William Ayloff*, Knight and Baronnet, the eighteenth of Iuly, 1623. concerning a Grant made by his Maieſties Letters Patents to the ſaid *Michael Burton*, of all the goods, chattels, and credits of the ſaid Sir *William Ayloff*, and other things by him forfeited to his Maieſty, by reaſon of certaine Outlawries after Iudgements, wherein there is prouiſion made for ſatisfaction of the Creditors of the ſaid Sir *William*, and according to his Maieſties expreſſe direction vnto vs, thereby to call the ſaid parties before vs, and after examination of the ſame cauſe, to take ſuch order therein for the Petitioners reliefe, as wee ſhould find agreeable to equitie and iuſtice; We haue called before vs the ſaid

parties,and the Petitioner himſelfe, with his Councell in Law; and ſome of the Sonnes and Sollicitors, and the Councell in Law of the ſaid Sir *William* appeared before vs: And thereupon we heard the allegations made of both parties by their learned Councell,and haue alſo heard ſundry of the ſaid Creditors, whereof ſome were alſo Councellors in Law, and their allegations. And vpon long and deliberate hearing and debating thereof, it plainely appeared vnto vs,that the ſaid Sir *William Ayloff* did earneſtly moue and ſollicite the ſaid Petitioner to procure the ſaid Grant from his Maieſtie, promiſing and vndertaking to ſatisfie and pay fiue hundred pounds for the ſollicitation and procurement thereof, and to beare all the charges for paſſing the ſame. Whereupon the ſaid Petitioner hauing (vpon our knowledge) for many yeeres done ſpeciall ſeruice vnto his Maieſtie, for which hee hath neuer yet had any reward, procured the ſaid Grant to be made vnto him by his Maieſty,in recompence of his ſaid ſeruice: And for the paſſing thereof, and about the ſame Patent, and ſome ſuites, thereupon diſburſed diuers ſummes of mony,whereof ſome part being repaid, he deſired the repayment of the reſt,and the ſaid ſum of fiue hundred pounds more to be paid vnto him by the ſaid Sir *William Ayloff*,to his owne vſe, for the whole benefit of the ſaid Patent. But the ſaid Sir *William Ayloff* hath neither ſatisfied his ſaid Creditors,nor the ſaid Petitioner,either of the ſaid ſumme of fiue hundred pounds promiſed,as aforeſaid,or of his monies diſburſed, as aforeſaid: By reaſon whereof, the ſaid Petitioner hath been inforced to ſue out, and proſecute at his owne charge,ſundry Writs of extent into ſeueral Counties,

in

in execution of the ſaid Patent, which haue been ſtaied by the meanes of the ſaid Sir *William Ayloff*; and neuertheleſſe ſeuerall ſuites haue been commenced, and haue been, and are proſecuted againſt the ſaid Petitioner, both by the Sonnes and Creditors of the ſaid Sir *William Ayloff*, in the ſeuerall Courts of Chancerie and Exchequer; and during the proſecution of thoſe ſuits, ſundrie contempts, abuſes and attempts of violence and diſgrace offered by himſelfe and his Lady, and ſome of his Sonnes vnto the Petitioner, to his great vexation, trouble and charge. Therefore we thinke it fit, that Writs, Commiſſions and Extents ſhall be preſently proſecuted by, or in the name of the ſaid Patentee, according to the tenor and intent of the ſaid Patent; and the ordinarie courſe of law in ſuch caſes for the preſent extent, diſcouerie, examination, valuation, and ſeiſure of all the perſonall, and reall eſtate of the ſaid Sir *William*, and of the debts due to him, and of all other forfeitures due to his Maieſtie by the ſaid Outlawrie, and for the recouerie and paiment thereof, according to the tenor and intent of the ſaid Patent, for the better ſatisfaction both of the ſaid debts to the ſaid Creditors, and of the ſaid fiue hundred pounds, and other charges vnto the ſaid Petitioner: And that with all poſſible expedition, payment and ſatisfaction ſhall be made to him, of all ſuch ſummes of money, as by him already haue been, or hereafter ſhall be disburſed or paid for or about the ſollicitatiõ, proſecution, procurement, paſſage, or execution of the ſaid Patent; with a deduction onely of ſo much thereof, as ſhall, vpon account, appeare to be, or to haue been formerly repaid him, as aforeſaid: And that all the reſt of the benefit of the execution

thereof, ſhall from time to time, as the ſame may bee leauied, be diſpoſed, and diſtributed for the payment and ſatisfaction of the iuſt and due debts of the ſaid Sir *William Ayloff*, and of the ſaid recompence by him promiſed, and by his Maieſtie intended to the Petitioner by the ſame payment.

And for as much as we conceiue, that all the benefit and forfeiture of the ſaid Sir *William* his eſtate by the ſaid Outlawry, doth by his Maieſties Prerogatiue, and by the Common Law of this Land, of right belong to his Maieſtie, and to his Royall pleaſure and diſpoſition: And for as much as his Maieſtie hath been pleaſed at the Petition of the ſaid Patentee, and in conſideration of his ſeruice, to grant the ſame vnto the ſaid Patentee, with ſuch prouiſion as aforeſaid, for ſatisfaction of the ſaid Creditors: Therefore, and in conſideration thereof, wee doe hereby declare our iudgement and opinion (and accordingly, ſuch of the ſame Creditors as attend vs, as aforeſaid, are content) that a principall reſpect ſhall bee had, both by themſelues, and by the ſaid Sir *William*, for a ſpeedy ſatisfaction of the ſaid ſumme of fiue hundred pounds ſo promiſed as aforeſaid, in conſideration of the procurement of the ſaid Patent: Of the benefit whereof, they are all partakers, as aforeſaid. Neuertheleſſe, for as much as ſome pretence is made vpon the behalfe of the ſaid Sir *William*, that notwithſtanding the ſaid voluntary offer and promiſe made at firſt by himſelfe, of fiue hundred pounds for the procurement of a certaine Patent; And the Petitioners then preſent vndertaking, as aforeſaid, of the procurement thereof, the ſame Contract was afterwards in the preſence, and with the priuitie of ſundry credible and ſufficient

witneſſes

witneſſes expreſſely diſſolued and made voyde, and a new Contract expreſſely made for the procurement of another Patent of another ſubſtance and effect, and for a certaine other expreſſe conſideration then was at firſt offered and promiſed, as aforeſaid; and that the Petitioner accepted thereof, and thereupon, and not vpon the ſaid former promiſe, or conſideration proceeded to the proſecution of the Patent ſo obtained as aforeſaid, and that the ſaid Sir *William* is able by ſuch ſeuerall witneſſes ſo preſent, as aforeſaid, at the ſaid ſecond contract and agreement, as aforeſaid, to make manifeſt proofe thereof: Therefore, and for the full ſatisfaction of the ſaid Sir *William*, and of his importunity therein (though we conceiue it very improbable for many reaſons, that the Petitioner ſhould accept any leſſer a conſideration then as aforeſaid: And though the promiſe pretended by Sir *William*, appeare vnto vs, to be rather a ſeuerall promiſe by Sir *William* to diſburſe the fees and charges of the paſſing of the ſaid Patent, then any conſideration or recompence for the procurement thereof, or reward of the ſaid ſeruice;) Neuertheleſſe, wee are content to giue him his owne deſire of liberty, at any time before the laſt day of this preſent Terme, to make ſuch proofe vnto vs, as aforeſaid, by the examination of any ſuch Witneſſes, as aforeſaid, vpon oath, in any Court of Record at Weſtminſter, by any ſuch courſe of Law as ſhall be propoſed to vs, and allowed by vs for that purpoſe, of his pretence and allegation aforeſaid; And vpon ſuch proofe ſo made and manifeſted to vs, to take ſuch further or other order either for abatement of the ſaid ſumme of fiue hundred pounds, or for further addition of ſuch coſts for ſuch further

vexation, and charge of the Petitioner thereabouts, as to vs ſhall ſeeme fit. And for the more certaintie of ſuch ſums, as already haue been, or hereafter ſhall be diſburſed by the petitioner, for, or about the proſecution, or procurement of the ſaid Patent, or the execution therof, or of any fees, coſts, or charges about any of the ſaid ſuites in any of the ſaid Courts, wherewith the ſaid Patentee hath been charged by occaſion thereof: We haue thought fit to referre the particulars thereof to the audit and account of

named by Sir *William*, and of Maſter *Raph Handſon*, named by the ſaid Petitioner. And if any variance ſhall ariſe betwixt them, then to referre the examination and determination thereof to *Iohn Dickenſon*, Eſquire, one of the Clarkes of his Maieſties moſt Honourable Priuy Councell, named by our ſelues for that purpoſe. And vpon their certificate to vs of their opinions therein, and vpon our approbation thereof, and reſolution therein, ſuch payment and ſatisfaction, as aforeſaid, to be made vnto the Petitioner, of all and euery ſuch ſumme or ſummes of mony, as vpon the ſame account ſhall appeare due. Giuen vnder our hands at Lambeth-houſe, the eleuenth day of October; In the yeere of our Lord God, 1623.

L. Archb. of Cant.
L. Biſhop of Winton.
Mr Secretary Caluert.

TO THE MOST REVEREND, RIGHT REVEREND, AND RIGHT Honourable, the Lord Archbiſhop of Canterburie his Grace, the Lord Biſhop of Winton, and Sir *George Caluert*, Knight, principall Secretarie of State, and all of them of his Maieſties moſt Honourable Priuie Councell.

The humble Certificate of *Raph Handſon.*

May it pleaſe your Honours,

According to your Honourable Order of the eleuenth of October laſt (whereof I had notice from Mr *Burton* ſhortly after, and was then, and often ſince required of his part to performe it) I haue euer ſince been ready to audit the Account mentioned therein, betweene him and Sir *William Ayloff*, Knight and Baronnet, vpon whoſe behalfe I haue not been mooued at all therein; and therefore aduiſed Mr. *Burton* to attend Mr *Dickenſon*, the Vmpeer nominated

minated therein by your Honours, by whoſe meanes Sir *William* might be moued to account with Mr *Burton*, (as hee affirmed) did accordingly performe; and yet I heard nothing from Sir *William Ayloff* thereof at all; And ſince vpon notice of your Honours laſt direction, dated the fifteenth of this inſtant Ianuary, that both parties were to attend your Honours vpon the twentieth of this moneth, for the finall reſolution of that cauſe; and that in the meane time Mr *Burtons* accounts ſhould bee perfected: Hereupon Mr *Burton* hath tendred and deliuered to mee a bill of account formerly made, and deliuered by him to Sir *William*, or to his Councell in this cauſe, which he offereth to auerre vpon oath; and an anſwere made by Sir *William* vnto the ſame bill of account. And vpon peruſall of both, I find by Mr *Burtons* ſaid firſt bill of account, his diſburſements, to amount to 104 pound, 9. ſhillings, 8. pence: And his receipts thereof againe from Sir *William*, to amount to 57 pound: And by Sir *Williams* anſwere thereunto I doe find, that he doth alleage his repaiment to amount to 73 pound, 8 ſhillings, 6 pence. And as to the reſt of Mr *Burtons* diſburſements moe, then is expreſſed in Sir *Williams* note, his anſwere is, that Mr *Burton* ſhall bee allowed none, becauſe hee did not performe the truſt repoſed in him; And for that by his breach of truſt, hee hath much hindred his proceedings, and cauſed him to expend forty pounds at the leaſt, I haue alſo peruſed a ſecond bill, made and offered by Mr *Burton*, of ſundry diſburſements ſince the ſaid former bill, amounting to 126 pound, 3 ſhillings, 5 pence; which he offereth to auerre vpon oath, whereof he denies repaiment of any part. So the totall of Mr *Burtons* diſburſements is,

230 pound, 13 ſhillings, 1 penny; whereof the 57 pound he hath receiued, being deducted, there is remaining due vnto him the ſumme of 173 pound, 13 ſhillings, 1 penny. Beſides, Mr *Burton* hath offered to my conſideration, the whole expence of his time, and loſſe of all his ordinarie employments, and of the benefit thereof for ſome 18 moneths, or thereabouts, by reaſon whereof he alleageth to bee damnified aboue 200 pound. Item, in other caſuall expences beſides, both by land and by water, during the ſaid Terme, whereof he could not keepe account, and thereby affirmeth to be out of purſe 30 pound, or thereabouts. All which I humbly ſubmit to your Honourable conſideration.

The ſecond of February,
Anno Dom. 1623.

RAPH HANDSON.

TO THE RIGHT HONORABLE, LIONEL, EARLE OF MIDDLESEX, LORD Treaſurer of England; and to the Chancellor, Vnder-Treaſurer, Chamberlaines and Barons of his Maieſties Honourable Court of Exchequer; and to all other Officers whom it doth concerne.

VPon conſideration of this Certificate made by the Auditor, mentioned in our Order the eleuenth of October laſt, and of the twentieth of Ianuarie laſt, and of the accounts and allegations contained therein; we think fit to giue allowance vnto the Petitioner, *Michael Burton*, Gentleman, of the ſumme of one hundred ſeuenty three pounds, thirteene ſhillings, one penny, for all his charges and diſburſements to the ſaid twentieth day of Ianuary laſt, which, according to our ſaid Orders, he is firſt to receiue. Giuen vnder our hands the twentie ſixth day of February, 1623.

L. Archb. of Cant.
L. Biſhop of Winton.
Mr Secretary Caluert.

The first confirmation made by our Soueraigne Lord King CHARLES, of his Royall Fathers foure seuerall directions of the due execution of the said Patent and Orders, and of sundry other Orders in the Honourable Court of Exchequer, in pursuance thereof; and his first command giuen of all lawfull aide for the execution thereof for the Patentees benefit.

TO THE KINGS MOST EXCELLENT MAIESTIE:

The humble Petition of *Michael Burton*, Gent.

SHeweth, that whereas your iesties deareſt Father of famous memorie, aboue two yeeres ſince, was graciouſly pleaſed to grant him, in reward of his many yeeres ſeruice, all the benefit of the Outlawry of Sir *William Ayloff*, Knight and Baronnet, ſtanding then fourteene times outlawed for debt, and fiue times after Iudgement, for the ſatiſ-

faction of the ſame debts, and of fiue hundred pound, and charges due by him to this Petitioner, by the Orders of his Maieſties Honourable Committees, as appeareth by the ſame Letters Patents and Orders.

And whereas this Petitioner hath been inforced, in proſecution of the ſame Letters Patents, and of the ſaid Orders, and other Orders of your Honourable Court of Exchequer, confirmed by foure ſeuerall declarations of his late Maieſties Royall intention therein, to employ about three yeeres time, and aboue three hundred pound charges in proſecution thereof, whereby at laſt ſome part of his lands and poſſeſſions haue been extended, and the reſt are to be extended vpon the ſaid Outlawries:

His humble Petition is,

That your Maieſtie, in purſuance of the ſaid Letters Patents, and of all the ſaid ſeuerall Orders, and of the ſaid foure ſeuerall declarations made thereupon (by your Maieſties ſaid Royall Father) and for the more ſpeedy execution thereof, would be graciouſly pleaſed to giue direction to the right Reuerend Father in God, the Lord Biſhop of Lincolne, Lord Keeper of your Maieſties Great Seale, and to the Maſter of the Roles, and the reſt of the Officers of your Maieſties high Court of Chancery, to giue him all the aide and aſſiſtance they can for his reliefe therein: As alſo to the right Honourable, the Lord high Treaſurer of England, and Chancellor of the Exchequer, and to all others your Maieſties Officers of the ſame Court, and to Maſter Atturney Generall, and others, to whom it may appertaine, to make him one, or more ſuch leaſes of the premiſſes already extended, or hereafter to bee extended, and of all the profits there-

thereof, in as ample and beneficiall manner, as by his late Maieſties ſaid Letters Patents, or by the Law, or by your Maieſties Royall Prerogatiue, or by the courſe of that Court, or by the opinion of the Barons thereof, or by vertue of any of them may be made, and thereupon ſhall be from time to time accordingly deſired by this Petitioner; and to giue him all ſuch other and further aide and aſſiſtance for the full and final execution and accompliſhment of the premiſſes, as ſhall be requiſite for his reliefe therein; and that all the Honourable Committees formerly appointed by your Maieſties ſaid late deareſt Father, may accordingly take notice thereof for his reliefe from time to time, as in their wiſdomes ſhall be thought fit; and your humble Supplicant, according to his moſt bounden duty, ſhall daily pray for your Maieſties long and proſperous Raigne.

At the Court at Whitehall, 11. *April*, 1625.

HIs Maieſtie, in regard of the Petitioners long and faithfull ſeruice, is graciouſly pleaſed to recommend him to thoſe Lords, Officers and others, whom it concerneth reſpectiuely, that they may giue all lawfull aide and aſſiſtance vnto him in the due execution of the ſaid Letters Patents, and Orders, as is deſired; whereby hee may receiue the better, the benefit intended vnto him by his Maieſtie.

Ralph Freeman.

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